

JUN 07 2023

By: _____
Deputy Clerk

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:
Ferris Carter,

CASE NO. 23-10612-lrc

CHAPTER 13

Debtor(s).

**NOTICE TO LANDLORD/LESSOR CONCERNING APPLICABILITY OF
EXCEPTION TO AUTOMATIC STAY PROVIDED UNDER 11 U.S.C. § 362(b)(22)**

Debtor or Debtors (hereinafter "Debtor") in this case has identified you as a Landlord/Lessor who has obtained a judgment for possession of residential property in which Debtor resides as a tenant. In accordance with 11 U.S.C. § 362(l)(4)(B) you are hereby notified that the exception to the automatic stay as provided under 11 U.S.C. § 362(b)(22) may be applicable because:

1.

- ☐ Debtor has not filed a certification that under applicable nonbankruptcy law there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, or
- ☐ Debtor has not filed a certification that Debtor(s) has deposited with the Court the rent that would become due during the 30-day period after the filing of the petition; or
- ☒ Debtor has not made the appropriate deposit with the Court.


2.

- ☐ Debtor has not filed a certification that Debtor has cured, under nonbankruptcy law applicable in this jurisdiction, the entire monetary default that gave rise to the judgment under which possession is sought by the Landlord/Lessor.

Where applicable, certified copies of the case docket and/or certification are enclosed. This Notice will be served upon Landlord/Lessor and Debtor and their counsel, if any.

Dated: June 7, 2023

United States Bankruptcy Court
75 Ted Turner Drive, SW
Room 1340
Atlanta, Georgia 30303


M. REGINA THOMAS, Clerk of Court

Fill in this information to identify your case:

Debtor 1
First Name Middle Name Last Name
Debtor 2
(Spouse, if filing) First Name Middle Name Last Name
United States Bankruptcy Court for the: District of (State)
Case number (if known) **23-10612**

FILED IN CLERK'S OFFICE
U.S. BANKRUPTCY COURT
NDOKA NEWHAM DIVISION

2023 MAY 30 AM 10:53

M. REGINA THOMAS
CLERK

BY **MIA**
DEPUTY CLERK

Official Form 101A

Initial Statement About an Eviction Judgment Against You

12/15

File this form with the court and serve a copy on your landlord when you first file bankruptcy only if:

- ☒ you rent your residence; and
- ☒ your landlord has obtained a judgment for possession in an eviction, unlawful detainer action, or similar proceeding (called *eviction judgment*) against you to possess your residence.

Landlord's name Progress Residential Management LLC
Landlord's address 7500 N. Dobson Road
Number Street
Scottsdale AZ 85256
City State ZIP Code

If you want to stay in your rented residence after you file your case for bankruptcy, also complete the certification below.

Certification About Applicable Law and Deposit of Rent

I certify under penalty of perjury that:

- ☒ Under the state or other nonbankruptcy law that applies to the judgment for possession (*eviction judgment*), I have the right to stay in my residence by paying my landlord the entire delinquent amount.
- ☒ I have given the bankruptcy court clerk a deposit for the rent that would be due during the 30 days after I file the *Voluntary Petition for Individuals Filing for Bankruptcy* (Official Form 101).

X [Signature]
Signature of Debtor 1

X _____
Signature of Debtor 2

Date 05/30/2023
MM / DD / YYYY

Date _____
MM / DD / YYYY

Stay of Eviction: (a) First 30 days after bankruptcy. If you checked both boxes above, signed the form to certify that both apply, and served your landlord with a copy of this statement, the automatic stay under 11 U.S.C. § 362(a)(3) will apply to the continuation of the eviction against you for 30 days after you file your *Voluntary Petition for Individuals Filing for Bankruptcy* (Official Form 101).

(b) Stay after the Initial 30 days. If you wish to stay in your residence after that 30-day period and continue to receive the protection of the automatic stay under 11 U.S.C. § 362(a)(3), you must pay the entire delinquent amount to your landlord as stated in the eviction judgment before the 30-day period ends. You must also fill out *Statement About Payment of an Eviction Judgment Against You* (Official Form 101B), file it with the bankruptcy court, and serve your landlord a copy of it before the 30-day period ends.

Check the Bankruptcy Rules (<http://www.uscourts.gov/rules-policies/current-rules-practice-procedure>) and the local court's website (to find your court's website, go to <http://www.uscourts.gov/court-locator>) for any specific requirements that you might have to meet to serve this statement. 11 U.S.C. §§ 362(b)(22) and 362(l)

U.S. Bankruptcy Court
Northern District of Georgia (Newnan)
Bankruptcy Petition #: 23-10612-lrc

Assigned to: Judge Lisa Ritchey Craig
Chapter 13
Voluntary
Asset

Date filed: 05/30/2023
341 meeting: 07/06/2023
Deadline for filing claims: 08/08/2023
Deadline for filing claims (govt.): 11/27/2023

Debtor
Ferris Carter
22 Sartoga PL
Newnan, GA 30263
COWETA-GA
SSN / ITIN: xxx-xx-1060

represented by **Ferris Carter**
PRO SE

Trustee
Melissa J. Davey
Standing Chapter 13 Trustee
Suite 2250
233 Peachtree Street NE
Atlanta, GA 30303
678-510-1444

Filing Date	#	Docket Text
05/30/2023	<u>1</u> (9 pgs)	Case Opened and Voluntary Petition Filed. Government Proof of Claim due by 11/27/2023. (kdh) Additional attachment(s) added on 5/31/2023 (hd).
05/30/2023	<u>2</u> (1 pg)	Statement of Social Security Number (Official Form B121) (Document is restricted and can only be viewed by Court staff.) filed by Ferris Carter . (hd) (Entered: 05/31/2023)
05/30/2023	<u>3</u> (1 pg)	Pro Se Affidavit filed by Ferris Carter . (hd) (Entered: 05/31/2023)
05/30/2023	<u>4</u> (1 pg)	Debtor Request to Begin Electronic Noticing filed by Ferris Carter . (hd) (Entered: 05/31/2023)
05/30/2023	<u>5</u> (1 pg)	Credit Counseling Extension from the Court filed by Ferris Carter . (hd) (Entered: 05/31/2023)
05/30/2023	<u>6</u> (1 pg)	Initial Statement About an Eviction Judgment Against You filed by Ferris Carter . (hd) (Entered: 06/01/2023)

Filed in Clerk's Office and
a true copy certified this
7 day of June 2023
M. REGINA THOMAS, CLERK
By:
Deputy Clerk
6/7/2023, 11:59 AM

05/30/2023	● <u>7</u> (1 pg)	Statement About Payment of an Eviction Judgment Against You filed by Ferris Carter . (hd) (Entered: 06/01/2023) i
05/31/2023	●	Notice of Debtor's Prior Filings for debtor Ferris Carter Case Number <u>01-73477</u> , Chapter 13 filed in Georgia Northern Bankruptcy Court on 10/30/2001; Case Number <u>02-68548</u> , Chapter 13 filed in Georgia Northern Bankruptcy Court on 08/02/2002 , Dismissed for Other Reason on 03/20/2003; Case Number <u>03-99421</u> , Chapter 13 filed in Georgia Northern Bankruptcy Court on 09/02/2003; Case Number <u>05-91261</u> , Chapter 13 filed in Georgia Northern Bankruptcy Court on 02/28/2005; Case Number <u>13-11714</u> , Chapter 13 filed in Georgia Northern Bankruptcy Court on 07/02/2013 , Dismissed for failure to make plan payments on 09/12/2013.(Admin)
06/01/2023	● <u>8</u> (1 pg)	Order Setting Deadlines for Debtor to Correct Filing Deficiencies (Individual). Service by BNC. Statement of Financial Affairs due 6/13/2023. Schedule(s) due by 6/13/2023. Declaration About Debtors Schedules (B106) due 6/13/2023. Summary of Assets and Liabilities due 6/13/2023. Chapter 13 Statement of Current Monthly Income and Calculation of Commitment Period Form 122C-1 Form Due: 6/13/2023. Chapter 13 Plan due by 6/13/2023. Credit Counseling Certificate due 6/13/2023. Debtor Payment Advices due: 6/13/2023. (ojj) i
06/01/2023	● <u>9</u> (1 pg)	Order Regarding the List of Creditors with deficiencies noted. Failure to comply will result in dismissal of case without further notice. Service by BNC. List of all creditors due 6/8/2023. Entered on 6/1/2023. (ojj) i
06/01/2023	● <u>10</u> (1 pg)	Order Regarding Unpaid Filing Fee in the Amount of \$ 313.00 . Service by BNC. Filing Fee Due on: 6/12/2023, Entered on 6/1/2023. (related document(s)1) (ojj) i
06/01/2023	● <u>11</u> (2 pgs)	Notice of Meeting of Creditors (Chapter 13) and Confirmation Hearing. Telephonic 341 Meeting to be held on 7/6/2023 at 10:30 AM (See notice for telephonic call-in information (Ch. 13 Davey NEWN). Confirmation Hearing to be held on 8/15/2023 at 09:30 AM Courtroom, 2nd floor, Newnan. If applicable, a hearing on the Allowance and Approval of Debtor's Counsel Attorney Fees will be held with the Confirmation Hearing. Objections for Discharge due by 9/5/2023 Non-Government Proof of Claims due by 8/8/2023. (Admin)
06/02/2023	● <u>12</u> (2 pgs)	Order and Notice of Hearing. Service by BNC. Hearing to be held on 6/27/2023 at 09:15 AM in Courtroom, 2nd floor, Newnan. [Review order for virtual hearing information.] Entered on 6/2/2023. (related document(s)5) (acj) .

06/03/2023	● <u>13</u> (3 pgs)	Certificate of Mailing by BNC of Notice of Meeting of Creditors Notice Date 06/03/2023. (Admin.) (Entered: 06/04/2023)
06/03/2023	● <u>14</u> (2 pgs)	Certificate of Mailing by BNC of Order Regarding List of Creditors Notice Date 06/03/2023. (Admin.) (Entered: 06/04/2023)
06/03/2023	● <u>15</u> (2 pgs)	Certificate of Mailing by BNC of Order on Deadlines to Correct New Case Deficiency - Individual. Notice Date 06/03/2023. (Admin.) (Entered: 06/04/2023)
06/03/2023	● <u>16</u> (2 pgs)	Certificate of Mailing by BNC of Order Regarding Unpaid Filing Fees Notice Date 06/03/2023. (Admin.) (Entered: 06/04/2023)
06/04/2023	● <u>17</u> (3 pgs)	Certificate of Mailing by BNC of Order and Notice Notice Date 06/04/2023. (Admin.) (Entered: 06/05/2023)

Filed in Clerk's Office and
a true copy certified this
7 day of June, 2023
M. REGINA THOMAS, CLERK

By: KO
Deputy Clerk

In re: 23-10612-lrc

CERTIFICATE OF MAILING

I certify that the Notice of Exception from Automatic Stay was served by US Mail to the following parties:

Progress Residential Management Svc
7500 N. Dobson Road
Scottsdale, AZ 85256

Ferris Carter
22 Sartoga PL
Newnan, GA 30263

Date Mailed: June 7, 2023

M. REGINA THOMAS, CLERK

By: /s/ Nancie Schindler
Nancie Schindler